IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

Crl.Rev.Pet.No. 3670 of 2007()

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CRA.136/2005 of ADDL. SESSIONS COURT (ADHOC), PATHANAMTHITTA
CC.326/2004 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II,PATHANAMTHITTA

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REVN. PETITIONER:

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THULASIDAS E.N., ELANJICAL HOUSE,
MANGARAM MURI, KONNI

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM

2. THOMAS K. MATHAI, KALAYIL VEEDU,
KIZHAKKUPURAM P.O., KUMBAZHA, PATHANAAMTHITA DISTRICT

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.GIBI.C.GEORGE
SRI.E.RADHAKRISHNAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 10/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**Crl.R.P. No.3670 of 2007**

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**Dated: 10-10-2007**

**ORDER**

The accused in C.C. No. 326 of 2004 on the file of the Judicial First Class Magistrate-II, Pathanamthitta for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 6011 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, (JUDGE)

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